



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lappetelainen

Attorney Docket No.: 944-001.040

Application No.: 09/722,604

Group No.: 2665

Filed: November 27, 2000

Examiner: Man U. Phan

**For: ADAPTIVE TRANSMISSION CHANNEL ALLOCATION METHOD AND
SYSTEM FOR ISM AND UNLICENSED FREQUENCY BANDS**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-FINAL OFFICE ACTION

Sir:

At sections 2-4 of the Non-Final Office Action mailed April 29, 2005, claims 1-23 are provisional rejected under the judicially created doctrine of double patenting over claims 1-19 of U.S. Patent No. 6,760,317.

Applicant submits herein a terminal disclaimer to overcome this provisional double patenting rejection.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited today,
September 28, 2005, with the United States Postal Service with
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Cathy Sturmer